

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

ELVIS WELLS,

Petitioner,

v.

BRIAN WILLIAMS, et al.,

Respondents.

Case No. 2:19-cv-00522-APG-VCF

ORDER

Petitioner Elvis Wells, a Nevada state prisoner proceeding *pro se*, has filed a petition for writ of habeas corpus (ECF No. 3) under 28 U.S.C. § 2254. This habeas matter is before me on Wells' failure to keep the court apprised of his current address. The High Desert State Prison Law Library has returned court filings sent to the last institutional address Wells provided with a notation indicating that he no longer is at the institution. *See* Electronic Notice from HDSP (ECF No. 34); Returned Mail (NEF) as Undeliverable (ECF No. 32). The inmate search tool on the Nevada Department of Corrections' ("NDOC") website reflects that Wells is now incarcerated at the Warm Springs Correctional Center.¹

The Local Rules of Practice require all parties, including habeas petitioners, to immediately file with the court written notice of any change of address. LR IA 3-1, LR 2-2. The Local Rules also warn that failure to comply may result in dismissal of the action, with or without prejudice, or other sanctions as the court deems appropriate. *Id. See also Carey v. King*, 856 F.2d 1439, 1441 (9th Cir. 1988) ("A party, not the district court, bears the burden of keeping the court apprised of any changes in his mailing address.").

I THEREFORE ORDER:

1. Petitioner Elvis Wells must update his address by filing a notice of change of address within 30 days of this order.

///

///

¹ The inmate search tool may be accessed by the public online at: <https://ofdsearch.doc.nv.gov/>. The Court takes judicial notice of Petitioner's current status as reported in NDOC's online records.

1 2. Wells's failure to timely comply with this order will result in the dismissal of his
2 petition without prejudice and without further advance notice.

3 Dated: December 2, 2020



ANDREW P. GORDON
UNITED STATES DISTRICT JUDGE